

Suspend the Rules and Pass the Bill, H.R. 1042, with An Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

118TH CONGRESS
1ST SESSION

H. R. 1042

To prohibit the importation into the United States of unirradiated low-enriched uranium that is produced in the Russian Federation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2023

Mrs. RODGERS of Washington (for herself and Mr. LATTA) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prohibit the importation into the United States of unirradiated low-enriched uranium that is produced in the Russian Federation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Prohibiting Russian
5 Uranium Imports Act”.

1 **SEC. 2. PROHIBITION ON IMPORTS OF LOW-ENRICHED URA-**
2 **NIUM FROM THE RUSSIAN FEDERATION.**

3 (a) PROHIBITION ON IMPORTS.—Section 3112A of
4 the USEC Privatization Act (42 U.S.C. 2297h–10a) is
5 amended by adding at the end the following:

6 “(d) PROHIBITION ON IMPORTS OF LOW-ENRICHED
7 URANIUM.—

8 “(1) PROHIBITION.—Beginning on the date
9 that is 90 days after the date of the enactment of
10 this subsection, and subject to paragraphs (2) and
11 (3), the following may not be imported into the
12 United States:

13 “(A) Unirradiated low-enriched uranium
14 that is produced in the Russian Federation or
15 by a Russian entity.

16 “(B) Unirradiated low-enriched uranium
17 that is determined to have been exchanged with,
18 swapped for, or otherwise obtained in lieu of
19 unirradiated low-enriched uranium described in
20 subparagraph (A) in a manner designed to cir-
21 cumvent the restrictions under this section.

22 “(2) WAIVER.—

23 “(A) IN GENERAL.—Subject to subpara-
24 graphs (B) and (C), the Secretary of Energy, in
25 consultation with the Secretary of State and the
26 Secretary of Commerce, may waive the applica-

1 tion of paragraph (1) to authorize the importa-
2 tion of low-enriched uranium described in that
3 paragraph if the Secretary of Energy deter-
4 mines that—

5 “(i) no alternative viable source of
6 low-enriched uranium is available to sus-
7 tain the continued operation of a nuclear
8 reactor or a United States nuclear energy
9 company; or

10 “(ii) importation of low-enriched ura-
11 nium described in paragraph (1) is in the
12 national interest.

13 “(B) LIMITATION ON AMOUNTS OF IM-
14 PORTS OF LOW-ENRICHED URANIUM.—

15 “(i) IN GENERAL.—The importation
16 into the United States of low-enriched ura-
17 nium described in paragraph (1), including
18 low-enriched uranium obtained under con-
19 tracts for separative work units, whether
20 or not such low-enriched uranium is de-
21 rived from highly enriched uranium of
22 weapons origin, may not exceed—

23 “(I) in calendar year 2024,
24 476,536 kilograms;

1 “(II) in calendar year 2025,
2 470,376 kilograms;

3 “(III) in calendar year 2026,
4 464,183 kilograms; and

5 “(IV) in calendar year 2027,
6 459,083 kilograms.

7 “(ii) ADMINISTRATION.—The Sec-
8 retary of Commerce shall—

9 “(I) administer the import limita-
10 tions described in clause (i) in accord-
11 ance with the provisions of the Sus-
12 pension Agreement, including the pro-
13 visions described in subsection
14 (c)(2)(B)(i);

15 “(II) be responsible for enforcing
16 the import limitations described in
17 clause (i); and

18 “(III) enforce the import limita-
19 tions described in clause (i) in a man-
20 ner that imposes a minimal burden on
21 the commercial nuclear industry.

22 “(C) TERMINATION.—Any waiver issued
23 under subparagraph (A) shall terminate not
24 later than January 1, 2028.

25 “(D) NOTIFICATION TO CONGRESS.—

1 “(i) IN GENERAL.—Upon issuing a
2 waiver under subparagraph (A), the Sec-
3 retary of Energy shall submit to the com-
4 mittees specified in clause (ii) a notifica-
5 tion that a waiver has been issued, which
6 shall include identification of the recipient
7 of the waiver.

8 “(ii) COMMITTEES SPECIFIED.—The
9 committees specified in this clause are—

10 “(I) the Committee on Energy
11 and Natural Resources and the Com-
12 mittee on Finance of the Senate; and

13 “(II) the Committee on Energy
14 and Commerce and the Committee on
15 Ways and Means of the House of
16 Representatives.

17 “(3) APPLICABILITY.—This subsection does not
18 apply to imports—

19 “(A) by or under contract to the Depart-
20 ment of Energy for national security or non-
21 proliferation purposes; or

22 “(B) of non-uranium isotopes.

23 “(4) TERMINATION.—The provisions of this
24 subsection shall terminate on December 31, 2040.

1 “(5) RUSSIAN ENTITY DEFINED.—In this sub-
2 section, the term ‘Russian entity’ means an entity
3 organized under the laws of or otherwise subject to
4 the jurisdiction of the Government of the Russian
5 Federation.”.

6 (b) CONFORMING AMENDMENTS.—

7 (1) IN GENERAL.—Section 3112A(c) of the
8 USEC Privatization Act (42 U.S.C. 2297h–10a(e))
9 is amended—

10 (A) in paragraph (2)—

11 (i) in subparagraph (A)—

12 (I) in clause (ix), by inserting
13 “and” after the semicolon at the end;

14 (II) in clause (x), by striking the
15 semicolon and inserting a period; and

16 (III) by striking clauses (xi)
17 through (xxvii); and

18 (ii) in subparagraph (C)(i), by strik-
19 ing “paragraph (10)” and inserting “para-
20 graph (9)”;

21 (B) in paragraph (3), by striking “United
22 States” and all that follows through “for proc-
23 essing” and inserting “United States for proc-
24 essing”;

25 (C) by striking paragraph (5);

1 (D) by redesignating paragraphs (6)
2 through (12) as paragraphs (5) through (11),
3 respectively;

4 (E) in paragraph (5), as redesignated by
5 subparagraph (D), by striking “In addition to
6 the adjustment under paragraph (5)(A), the”
7 and inserting “The”;

8 (F) in subparagraph (A) of paragraph (7),
9 as so redesignated, by striking “paragraph
10 (10)” and inserting “paragraph (9)”;

11 (G) in paragraph (8), as so redesignated,
12 by striking “December 31, 2040” and inserting
13 “the date described in subsection (d)(1)”;

14 (H) in subparagraph (A) of paragraph (9),
15 as so redesignated, by striking “paragraphs
16 (2)(C) and (8)” and inserting “paragraphs
17 (2)(C) and (7)”.

18 (2) EFFECTIVE DATE.—The amendment to sec-
19 tion 3112A(c)(2)(A)(xi) of the USEC Privatization
20 Act (42 U.S.C. 2297h–10a(c)(2)(A)(xi)) made by
21 paragraph (1)(A) of this subsection shall take effect
22 on the date that is 90 days after the date of the en-
23 actment of this Act.